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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,273	02/26/2002	David P. Buehler	DP-304871	6418

7590 02/03/2003  
JIMMY L. FUNKE  
DELPHI TECHNOLOGIES, INC.  
Legal Staff Mail Code: CT10C  
P.O. Box 9005  
Kokomo, IN 46904-9005

EXAMINER
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TOLIN, GERALD P

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/082,273

Applicant(s)

BUEHLER ET AL.

Examiner

Gerald P Tolin

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_\_

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Based on reference to components and heat sink cavity in claim 13, this claim should depend from claim 8 ( not 1 ), for antecedent reasons.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,5,8, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Stevens(373).

Metal sink housing 240, bottom with pins 275 are clearly shown, as are all other details.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4,6,9,14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens taken with Hinze(754).

Stevens provides all but the cast aluminum and gel recitations. Such however are well known in the art and shown by the Hinze reference. Such would have been obvious to employ in Stevens to better cool and protect the parts, as is well known in the art.

7. Claims 2,3,10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens taken with Kobayashi et al.

Both references are in the same type art, while Stevens fails to show the tongue/groove/adhesive details. Such, however, is notoriously known in the art and shown by Kobayashi (see figure 6). Such would have been obvious to use in Stevens to better attach and seal the parts together, as is well known for protection.

8. Claims 7,13,18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens taken with Tugcu.

Stevens provides all but the partition details. Such, however, is well known in the art to separate the electronic parts from each other for better cooling, shielding and insulating results. Such is shown in the Tugcu reference and would clearly have been obvious to employ in Stevens for the above stated reasons.

9. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens taken with Tugcu as expressed above, and further in view of Kobayashi. Kobayashi adds the missing tongue/groove/adhesive details to the above references. Such would have been obvious to employ to better attach and seal the parts together, as was earlier expressed.

10. Note the cited Davidson and McCann references which are similar and show cast aluminum and high temperature plastics. It is noted the claiming "high temperature plastic", for example, fails to define around a mere circuit board with connector pins. Heat inherently travels through the leads and so such board is always "high temperature" protected to some degree.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald P Tolin whose telephone number is 703-308-3114. The examiner can normally be reached on M-F first friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 703-308-0538. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Gerald P Tolin  
Primary Examiner  
Art Unit 2835

gpt  
January 29, 2003

